The age-old dream: Freedom, justice, dignity for all

Global review of human rights set for Vienna in June 1993

Forty-four years ago, the UN adopted the Universal Declaration of Human Rights, a comprehensive document eloquently sketching the inalienable rights with which all of us are born.

Since then, the UN has slowly and methodically agreed on a body of human rights covenants, protocols and declarations, further defining our collective economic, social, cultural, political and civil rights and creating a system to protect them.

While few dispute the enormous progress made in spelling out these rights, it is tragically apparent that human rights continue to be violated everywhere, often on a massive scale.

This contradiction lies at the heart of the decision by the General Assembly to convene the World Conference on Human Rights, to be held in Vienna from 14 to 25 June 1993.

The World Conference will review the progress made since the first global conference was held in Teheran, Iran in 1968. It is to explore the possibilities for further refining the five main categories of human rights, and seek ways to improve and strengthen existing systems for promoting and protecting human rights at the international, regional and national levels. A primary Conference goal will be to make protection of human rights an integral component of social and economic development worldwide.

Secretary-General Boutros Boutros-Ghali articulated the underlying philosophy on Human Rights Day, 1992: "Full human dignity means not only freedom from torture, but also freedom from starvation. It means freedom to vote as it means the right to education. It means freedom of belief as it means the right to health. It means the right to enjoy all rights without discrimination. And true development requires a solid basis of democracy and popular participation."

Several current factors may help realize these goals: the UN's heightened emphasis on democracy and people-centred development; recent steps in many countries towards more participatory political systems; and the increasing globalization of the mass media, which has raised awareness of human rights issues everywhere.

At the same time, the meeting will have to address recent world developments that have put the human rights of millions of people in grave jeopardy: the frightening spread of ethnic, national and religious conflicts; the deterioration of many countries' economies and the widening gap between rich and poor; and growing environmental crises related to unsustainable use of resources and rapid population growth.

The Universal Declaration spells out such basic human rights as legal equality, freedom from torture, freedom of religion, and the rights to vote, to be educated, to adequate health care and to an adequate living standard. Many of these were given the force of law in two international covenants on human rights, which were approved in 1966 and took effect in 1976, and in specific conventions adopted over the years which ban, among other things, genocide, racial discrimination, discrimination against women, and punishment that is cruel, inhuman or degrading.

Various bodies monitor compliance with these treaties, and communicate with Governments—with varying degrees of success—when violations are reported. This framework of treaties and implementation measures has had a tremendous impact, helping to create an international culture of respect for human rights. Provisions of the treaties have been written into national legislation. Intervention by UN Special Rapporteurs and the spotlight of world attention have prevented executions and won the release of prisoners.

It is apparent, nevertheless, that the international community needs to do more to help many people around the world who continue to be deprived of fundamental human rights.

With this in mind, the Assembly in December 1990 resolved to convene the 1993 World Conference, after having asked the Secretary-General to solicit input from Governments, UN agencies and human rights non-governmental organizations (NGOs). The 1968 Conference on Human Rights held in Teheran, contributed to the reconceptualization of human rights by introducing a structural approach, emphasizing the interconnection of human

rights concepts, and a causal approach linking human rights, for example, to self-determination and, later on, to the right to development. This reconceptualization, however, was not adequately implemented.

The upcoming Conference has several objectives as outlined in Assembly resolution 45/155: to assess progress in the human rights field since the 1948 Universal Declaration and identify ways to overcome obstacles to further progress; to examine the relationship between development and the universal application of human rights; to find ways to better implement human rights standards and treaties and strengthen UN monitoring and promotional mechanisms; and to recommend ways to ensure the necessary financial resources.

Indivisibility of rights

The Conference provisional agenda, approved by the Assembly in December 1992, incorporates these aims while underscoring the "indivisibility of economic, social, cultural, civil and political rights". After some debate, it was agreed that the gathering will have a focus that is broad rather than specific, and will not be a forum for allegations of human rights violations in particular countries. Rather, the intent is to find ways to: make existing organizations and processes work better; strengthen international, regional and national systems of justice, and coordination among them; improve mechanisms for monitoring human rights efforts and reporting violations; and revise legal instruments or implementation methods to protect vulnerable groups better.

The 1990 resolution emphasized the need to create conditions that would allow all people to enjoy fully the broad range of human rights. Accordingly, one agenda item focuses on the relationship of development to democracy and the universal enjoyment of human rights. An active debate is taking place in this regard between developing nations that want greater priority given to the "right to development" and industrial countries that place more emphasis on political and civil rights *(see p. 6)*.

These different perspectives may likewise be reflected during debate over recommendations for ensuring "universality, objectivity and non-selectivity" in the application of human rights, with some countries that depend on development assistance objecting to standards of human rights compliance imposed by donors as conditions of further aid.

The question of national sovereignty lies at the centre of the debate over whether or not to increase the authority of the UN system to intervene in the internal affairs of nations where human rights are being violated.

Other agenda items will commemorate the International Year for the World's Indigenous People *(see p. 5)* and address contemporary challenges in the field of human rights. The latter point will include consideration of ways to strengthen women's rights *(see p. 8)* and the rights of various vulnerable groups (children, especially girls, and street children; refugees and displaced persons; migrant workers and their families; racial, national, ethnic and linguistic minorities; the elderly; the disabled; and people with acquired immune deficiency syndrome (AIDS).

Non-governmental organizations (NGOs) are expected to provide significant input to the deliberations and the resulting final plan of action. In light of their productive involvement in the 1992 UN Conference on Environment and Development, it was agreed after some debate that UN-accredited NGOs with expertise in human rights will have observer status at the World Conference.

Proposals before the Conference include giving consideration to the creation of a UN Permanent Commissioner for Human Rights and an International Court for Human Rights. Secretary-General Boutros-Ghali, in his 1992 *Report on the Work of the Organization*, suggested exploring "ways of empowering the Secretary-General and expert human rights bodies to bring massive violations of human rights to the attention of the Security Council together with recommendations for action".

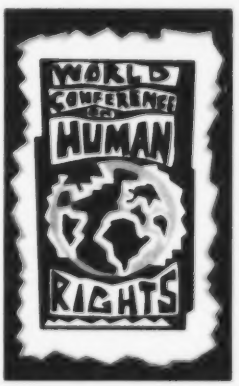
The UN Centre for Human Rights, which is the focal point for human rights issues at the Organization, is the conference secretariat, overseeing more than two years of substantial preparations.

Regional declarations

There were three Conference Preparatory Committee meetings in Geneva in 1992 and a fourth will be held from 19 to 30 April 1993. Regional meetings have also been held, including an African meeting in Tunis (2-6 November 1992) and a meeting for Latin America and the Caribbean in San José, Costa Rica (18-22 January 1993). An Asian regional meeting is scheduled in Bangkok from 29 March to 2 April 1993. The nations of Europe and North America will meet informally.

The Tunis Declaration adopted at the African meeting emphasizes that: "The right to development is inalienable. Human rights, development and international peace are interdependent." The African countries cited as particular threats to human rights in their region "internal tensions deriving from the failure to meet the basic needs of populations" and "racism, particularly in new forms, extremism and fanaticism, whether of religious or other origin".

In the San José Declaration, Latin American and Caribbean Governments, among other things, condemned terrorism and drug trafficking, and pledged to respect indigenous peoples' political initiatives and cultural diversity.



The regional declarations also reflect the high expectations of the world community for the UN as a force for human rights. The World Conference aims to ensure that, in the words of Mr. Boutros-Ghali, "the age-old dream of freedom, justice and dignity for all is not beyond one's reach".

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Enforcing human rights: The UN machinery

In spite of the many legal instruments and procedures for protecting human rights globally, violations are still widespread. To address this problem, the World Conference on Human Rights will review existing enforcement mechanisms so that the rights of peoples everywhere may be ensured.

On one hand, the United Nations can point to an active and often effective system of promotion and protection of rights. In 1990, for example, UN human rights monitors sent nearly 1,100 urgent-action cables to Governments, on behalf of individuals allegedly facing torture, arbitrary detention, or summary or arbitrary execution. At the same time, UN experts were assisting a record number of Governments in promoting human rights through new national constitutions, democratic elections and stronger institutions of justice.

But the upcoming review will inevitably highlight the system's shortcomings as well. It is woefully underfunded and understaffed. The main conventions remain unratified by scores of Member States. There is also growing concern that the existing system does not possess the necessary authority to ensure compliance or punish violators of human rights. Thus, the review may lead to concrete recommendations to strengthen the instruments and mechanisms protecting human rights.

Bodies set up under international treaties are involved in an ever-expanding range of human rights activities, monitoring compliance with conventions that ban racial discrimination and abuse of prisoners, establishing dialogues with Governments accused of violations, and providing advice and technical assistance to national human rights efforts.

The central international body promoting human rights is the Commission on Human Rights, established in 1946 under the Economic and Social Council. Its secretariat—the Geneva-based Centre for Human Rights—is also the secretariat for the World Conference.

The Universal Declaration of Human Rights, drafted by the Commission and adopted by the UN General Assembly in 1948, recognizes as basic human rights: the right to life, liberty and personal security; equality before the law and equal protection under it; freedom of movement and residence; freedom from torture and cruel or degrading punishment; the right to seek asylum from persecution; the right to a nationality; freedom of thought, conscience and religion; the right to vote and participate in government; and the rights to an education, to work and join trade unions, and to an adequate living standard.

Many of these provisions, and some additional ones, have since been incorporated in the International Covenant on Civil and Political Rights (which took effect in 1976 and has been ratified to date by 115 States parties) and several other multilateral agreements which are legally binding on Governments that ratified them. Under each treaty, there is a committee of independent experts which monitors compliance, examines complaints of violations, and engages in dialogues with Governments.

For example, the 18-member Human Rights Committee reviews Governments' reports on efforts to observe the International Covenant, as well as complaints against other States parties for non-compliance. It also considers complaints from individual citizens of States parties—67 so far—to the Covenant's first Optional Protocol; these have included cases of ill-treatment in detention, unfair trial and discrimination of various kinds. (A second Optional Protocol seeks to abolish capital punishment; it has only 12 States parties so far.)

Other key agreements include:

- The 1951 Convention on the Prevention and Punishment of the Crime of Genocide (103 States parties) provides for prosecution of anyone charged with commissioning acts intended to destroy, in whole or in part, a national, ethnic, racial or religious group.
- The 1969 International Convention on the Elimination of All Forms of Racial Discrimination (132 States parties) prohibits discrimination and dissemination of ideas based on racial superiority or hatred.
- The 1981 Convention on the Elimination of All Forms of Discrimination against Women (120 States parties) addresses discrimination in public life, education, employment, health, marriage and the family.
- The 1987 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (71 States parties) holds States parties responsible for preventing torture and punishing torturers, even those acting under orders.
- The 1990 Convention on the Rights of the Child (126 States parties) defines primary health care and education, among others, as rights of all children.
- In addition, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (not yet in force) forbids slavery and forced labour.

UN officials have proposed that the World Conference endorse the goal of universal ratification of the two International Covenants and the major human rights conventions by the year 2000.

Rapporteurs and working groups

One of the most important mechanisms to enforce compliance with human rights treaties is the so-called 1503 Procedure, named for the Economic and Social Council resolution that established it. Under the Procedure, UN experts may examine allegations that "a pattern of gross violations of human rights" exists in a particular country.

The Commission on Human Rights appoints country and thematic rapporteurs or working groups to address global issues. Current themes include summary or arbitrary executions, torture, involuntary disappearances, arbitrary detention, the sale of children and other child abuses, religious intolerance, and the negative impact of mercenaries on the right to self-determination.

The first such body was the Working Group on Enforced or Involuntary Disappearances, established in 1980. It has examined 35,000 cases in 55 countries, made queries to Governments, and informed relatives of missing persons of any replies received.

The recently-established Working Group on Arbitrary Detention is the first mandated to investigate cases, rather than simply examine them. It employs an "adversary approach", considering information provided by both States and complainants.

Each year, the rapporteurs and working groups submit reports on their activities to the Human Rights Commission or the General Assembly. Information is gathered from Governments, human rights organizations, witnesses, victims and relatives. In 1991, rapporteurs carried out fact-finding missions in 27 countries, which included a number of visits to prisons and private talks with prisoners.

UN rapporteurs and working groups respond to reports of disappearance, torture, arbitrary detention, and summary or arbitrary execution by sending "urgent-action" cables to Governments, appealing on humanitarian grounds for protection of the individuals involved. Such intervention on summary and arbitrary executions has often resulted in commutation of sentences or new trials for persons sentenced to death after trials that did not meet human rights standards.

The UN Secretary-General and the Under-Secretary-General for Human Rights sometimes employ quiet diplomacy on behalf of political prisoners or those facing execution. These "good offices" appeals, usually confidential, are often successful.

Technical assistance

To aid countries in the promotion of human rights, the UN meanwhile offers six kinds of technical assistance:

- Helping reform national laws. In 1990, for example, the Centre for Human Rights organized a seminar on constitutional law for Romanian parliamentarians involved in drafting their country's new constitution. Similar assistance has been provided recently to Bulgaria and Mongolia.
- Advising on electoral procedures. In 1991, UN experts visited Albania and Lesotho to assist in the legal and technical aspects of upcoming elections.
- Assisting in the ratification of human rights treaties and preparation of the requisite national reports. This has included country visits by human rights experts and regional and subregional training courses.
- Supporting democratization. Since the 1988 upheaval in eastern and central Europe, the Centre has been active in helping countries of the region hold elections, set up national human rights institutions and draft laws in line with human rights conventions.
- Strengthening national and regional institutions. Country programmes in Uruguay, Colombia, Guatemala and Poland have built human rights infrastructures and trained judges, law-enforcement officials and military officers.
- Training in the administration of justice. Since 1988, the UN has organized about 30 human rights training courses worldwide for some 2,500 professionals, granting more than 200 scholarships and fellowships.

Financial support for these technical advisory services comes from contributions to the Voluntary Fund for Technical Cooperation in the Field of Human Rights, administered by the Centre. As of 31 December 1992, 25 countries had contributed $5.6 million to the Fund.

Obtaining increased funding commitments to assist human rights programmes is one of the principal goals of the World Conference. As a target, UN officials have proposed that at least 0.5 per cent of total development cooperation budgets be allocated to human rights.

How To Participate

The World Conference on Human Rights, like all major UN meetings, is principally a gathering of delegations representing Member States. However, the Assembly welcomes the participation of non-governmental organizations (NGOs) throughout the long process leading up to and including the World Conference itself.

NGOs who wish to participate in the Conference should contact Mr. John Pace, Coordinator of the World Conference, UN Centre for Human Rights, Palais des Nations, CH-1211, Geneva, Switzerland.

Two NGOs, the Boltzmann Institute (Möllwaldplatz 4, A-1040 Vienna, Austria; fax: (431) 505 46 79) and the International Service for Human Rights (1 rue de Varembé, Case 16, CH Geneva 20 CIC; fax: (41-22) 733 08 26), are organizing a number of parallel NGO events, including a pre-conference briefing from 10 to 12 June in Geneva.

For more information on the complex issues surrounding the Conference, contact the Programme Manager for Human Rights, Room S-1040 United Nations, New York, NY 10017; fax: (212) 963-4556.

Indigenous peoples: Pressing for greater rights

Brutally forced off their ancestral lands in many instances, faced with discrimination and poverty, and often afforded little say in their political futures, indigenous peoples worldwide are increasingly seeking to exercise their full range of human rights.

As the world community grapples with how best to reconcile their demands for self-determination with the sovereignty of nation States, there is growing recognition of the need for new international standards to safeguard the lifestyles and cultures of indigenous peoples.

It is no surprise, therefore, that indigenous peoples have a place on the agenda of the World Conference on Human Rights this June, spurred in part by the decision of the General Assembly to proclaim 1993 as the International Year of the World's Indigenous People.

"The way indigenous people are treated by States and the international community will be a major test of the seriousness of our commitment to a genuinely universal human rights regime", Secretary-General Boutros Boutros-Ghali noted at the ceremony to open the International Year. "If we are serious about development, political participation and human rights, we must address the special situation of indigenous people."

To further these goals, the Secretary-General named Rigoberta Menchú as Goodwill Ambassador for the Year. Ms. Menchú, a Quiché activist from Guatemala, was awarded the 1992 Nobel Peace Prize.

An estimated 300 million persons in 70 countries from Australia to the Arctic are considered to be indigenous. More than half live in China and India, some 10 million in Myanmar (Burma) and 30 million in South America. While the situations and histories of these peoples vary considerably, common problems include the loss or degradation of native lands due to colonization or development and the threat of involuntary assimilation into the dominant cultures that surround them.

Despite such hardships, indigenous peoples have battled to keep control of their cultural identities and lands and maintain their unique closeness to the natural environment. But as economic and population growth have transformed the landscape, the indigenous have frequently been the most directly affected by deforestation, mining, hydroelectric projects and toxic waste disposal, for instance.

Until recently, international action to protect the human rights of indigenous peoples has been limited. In 1953, the International Labour Organisation (ILO) completed a study that led to the adoption in 1957 of Convention No. 107 on the rights of indigenous and tribal peoples. This was, however, not totally effective and in 1969 the ILO adopted Convention No. 169 to promote consultations between Governments and indigenous peoples. The instruments addressed, among other things, collective and individual land rights and ownership of natural resources in these peoples' traditional habitats.

Two years later, the UN Subcommission on Prevention of Discrimination and Protection of Minorities initiated a study of discrimination against indigenous peoples. This led in 1982 to the creation of a Working Group on Indigenous Populations, intended to review the policies of Governments and draft a universal declaration on the rights of indigenous peoples.

The Working Group, which meets annually, has laboured to define self-determination, including autonomy and self-government, and collective rights to territories in a manner acceptable to Governments. The issues involved are politically sensitive and progress has been slow. At the 1992 annual meeting of the Working Group, its Chairperson and Rapporteur, Erika-Irene Daes, said she was hopeful that such a declaration "would become a standard to which both Governments and indigenous peoples could aspire".

On an equal footing

A draft of the universal declaration, made public in 1991, proclaimed that indigenous peoples have the right to be protected from genocide, maintain their distinct ethnic and cultural identities, use their own languages, own and control their traditional lands, be compensated for confiscated lands, be consulted on development projects that will affect them, exercise autonomy in internal affairs, and "participate on an equal footing with all other citizens and without adverse discrimination in the political, economic, social and cultural life of the State".

The Working Group's final draft is expected in 1993; it is hoped that a revised draft of the declaration will be completed in 1993.

Although it remains unclear exactly how the various issues surrounding indigenous peoples' rights will be raised at the World Conference, there is no doubt that they are a concern for many countries and high on the non-governmental organizations agenda as well. Other activities planned for the Year include: a Maori Spiritual Elders' Conference and a Maori Women's Conference in New Zealand; an Indigenous Programme of the International Congress on Circumpolar Health in Iceland; the Second International Indigenous Youth Conference in Australia; and a Conference of the Pacific Asia Council of Indigenous People in India.

The right to development: A North-South divide?

The growing economic divide between North and South may well be reflected in the upcoming World Conference on Human Rights, as many developing and industrialized countries define their human rights concerns in sharply different terms. One basic difference over how much emphasis to place on the "right to development" may set the tone for a pointed debate at the Vienna conference.

Many developing countries contend that political and civil rights cannot be separated from or be given priority over economic, social and cultural rights. Increasingly, they have asserted that development is an essential human right and objected to what many see as the industrial countries' narrow view of human rights as solely involving political and civil liberties. Indeed, in their view, economic development and an adequate living standard are preconditions of expanded political and civil rights. Further, the "collective rights" of people, some argue, may take precedence over certain rights of individuals.

A number of industrial countries, on the other hand, contend that some individual freedoms must exist for successful development to take place. Some have pressed developing countries to open their political processes and better protect their citizens' civil rights.

Partially reflecting both points of view, Secretary-General Boutros Boutros-Ghali recently declared that "development provides the foundation for human rights advances and . . . equally, human rights is the key which unlocks the creative energies of people so central to economic progress".

The UN has acknowledged development as a right, implicitly or explicitly, practically from its inception. In 1948, the right to development was confirmed in Article 28 of the Universal Declaration of Human Rights, which states that "everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized". The Universal Declaration also recognized the rights to work, to education and to an adequate standard of living. The Covenant stressed the "essential importance of international cooperation" in realizing this right.

The 1966 International Covenant on Economic, Social and Cultural Rights made this commitment more explicit, obligating States to "recognize the right of everyone to an adequate standard of living . . . including adequate food, clothing and housing, and to the continuous improvement of living conditions".

The 1969 Declaration on Social Progress and Development stated that "all peoples and all human beings . . . shall have the right . . . to enjoy the fruits of social progress and should, on their part, contribute to it".

In 1986, the General Assembly adopted the Declaration on the Right to Development, which it described as "an inalienable human right by virtue of which each person and all peoples are entitled to participate in, contribute to and enjoy economic, social, cultural and political development in which all human rights and fundamental freedoms can be fully realized". The Declaration proclaims, among other things, that: the human person is the central subject of development and should be the participant and beneficiary of the right to development; all human beings have a responsibility for development; and States have the primary responsibility for creating national and international conditions that will allow the right to development to be realized.

The Declaration also states that the right to development is both an individual and a collective right—a right of "every human person and all peoples"—and adds that "equality of opportunity for development is a prerogative both of nations and of individuals".

Interrelationships

Continuing this emphasis, the World Conference will consider "the relationship between development, democracy and the universal enjoyment of human rights, keeping in view the interrelationship and indivisibility of economic, social, cultural, civil and political rights". In March and April 1992, at the second Preparatory Committee meeting for the Conference, some developing countries made it clear that they attached special importance to the subject.

India, for example, stated that the 1993 Conference needed to emphasize that development should be the central global concern, so that the weakest and the poorest were enabled to enjoy human rights. China stated that the Conference should reflect the important connection between human rights and economic development.

Declarations adopted at regional preparatory meetings for the World Conference have similarly underscored the interrelatedness of human rights and development. In the Tunis Declaration, representatives of the African States affirmed: "Political freedom when not accompanied by respect for economic, social and political rights is precarious."

The Declaration continued: "Lasting progress towards the implementation of human rights implies, at the national level, effective development policies and, at the international level, more equitable economic relations, as well as a favourable economic environment."

In part, this emphasis reflects the view of many developing countries that world attention to human rights violations has focused so far almost exclusively on such concerns as torture, executions, imprisonment without fair trial and involuntary disappearances.

Obstacles to development

During the 1992 session of the Assembly's Third Committee (Social, Humanitarian and Cultural), several Asian, African and Latin American delegates articulated the view that consideration of human rights should give priority to development issues.

"If there is genuine concern about the human rights situation in developing countries", said Li Daoyu of China, "the primary need is to remove obstacles to development, lessen external trade, provide those countries with unconditional assistance and create a better economic environment for their survival."

Said Luis Fernando Jaramillo of Colombia: "The right to development is the pillar for economic and social rights, which must help preserve civil and political rights. The right to development is an inalienable right, yet industrialized countries fail to recognize it."

In contrast, at last year's Earth Summit, the United States qualified its support for the Rio Declaration on Environment and Development by reiterating its position that "development is not a right. On the contrary, it is a goal that we all hold, which depends for its realization in large part on the promotion and protection of the human rights set out in the Universal Declaration of Human Rights."

In the same vein, British delegate Henry Steel told the 1992 session of the Commission on Human Rights that unless human rights were protected by an open, fair legal system, ordinary citizens would not be motivated to play a full part in the development process.

Far from being abstract, the debate on the right to development has far-reaching economic implications.

Developing countries have argued that the current state of the world economy is not conducive to the expansion of human rights. Foreign debts of developing countries currently amount to more than $1.3 trillion. Primary commodity prices, upon which most developing nations' economies depend for exports and hard currency, have reached their lowest levels since the 1930s. In Africa, Asia and Latin America, extreme poverty remains the lot of hundreds of millions of peoples.

Developing countries have also called for their efforts to be supported by an increased flow of resources and by measures creating a favourable environment for development. In particular, they want a restructuring of international economic relations.

Similar proposals were made at the 1992 session of the Commission. In the view of Nigerian delegate Olu Adeniji, most developing countries were victims of an international economic system that inhibited their economic and social development. He emphasized that the debt burden and ever-falling commodity prices had led to drops in national incomes and increasing impoverishment.

The dispute is also manifested in conflicts over international development assistance, with developing countries objecting to political conditions that are increasingly being set by donor Governments. Outside pressure to hold elections or to free prisoners, for example, is regarded as infringing on national sovereignty. Such conditionality is also viewed as selective and discriminatory.

According to the San José Declaration of the Latin American and Caribbean States, "when democratic Governments are making determined efforts to resolve their human rights problems, such problems should not be used for political ends or as a condition to extending assistance or socio-economic cooperation."

The Tunis Declaration, meanwhile, cautioned that "no ready-made model" of human rights "can be prescribed at the universal level since the historical and cultural realities of each nation and the tradition, standards and values of each people cannot be disregarded".

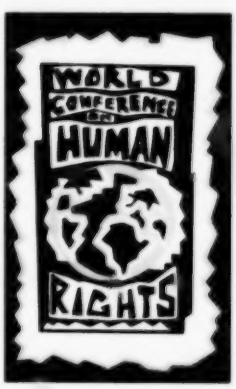
Many developing countries believed that the industrial countries are obligated to provide assistance and redress the international economic barriers in the way of economic development, such as heavy foreign debt burdens and record-low prices for the commodities developing countries export.

Thus, among the "obstacles to development" identified at the San José regional meeting were "poor socio-economic conditions resulting partly from the transfer of resources for the servicing of foreign debt and from the disparity in the terms of international trade".

The San José Declaration also cited the "shortage of resources for the institutionalization and implementation of justice". The Tunis meeting likewise noted that "the proper administration of justice and an independent judiciary" were "impossible without substantial investment".

Furthermore, observed participants at the 1990 UN Conference on Economic, Social and Cultural Rights: "In the absence of an active programme of international assistance and cooperation on the part of all those States that are in a position to undertake one, the full realization of economic, social and cultural rights will remain an unfulfilled aspiration of many countries."

Despite the different priorities of developing and industrial countries on the issue of development and human rights, there is a broad consensus that "without democracy, a people's potential for socio-economic progress cannot flower". Bangladesh's Foreign Minister Mostafizur Rahman told the UN General Assembly in 1991. But there is also a widespread concern, he said, that "without improved standards of living and a vision of the future that cannot sustain hope, democracy will wither".



Empowering women: The call for equal rights

For too long, say advocates, the international community has not given women's rights the priority attention they deserve.

Existing UN conventions, however, are very clear: all women have the right to an education, adequate health care and equality with men in the legal and political spheres. They also have the right to protection against violence, forced prostitution and discrimination. But turning those words into reality has proven difficult.

The search for ways to strengthen the protection of women's rights will be a major emphasis of the World Conference on Human Rights. Among other things, the gathering will discuss ways to enhance the effectiveness of the 1979 Convention on the Elimination of All Forms of Discrimination against Women, the primary legal instrument protecting women's rights, now ratified by 118 States. It will also examine how to deal with violence against women as a human rights issue.

Gender-related violations

"Many violations of women's human rights are distinctly connected to being female ... that is, women are discriminated against and abused on the basis of gender", observes Charlotte Bunch, Director of the Center for Women's Global Leadership at Rutgers University in the United States.

Consequently, say women's rights ex[illegible]s, certain human rights questions need to be considered from a gender perspective.

The 1979 Convention describes constitutional, legislative and other measures to promote equality through affirmative action, maternity protection, equal employment opportunities and equality before the law. It includes articles on economic, social and cultural aspects of women's lives.

A 23-member Committee on the Elimination of Discrimination against Women monitors implementation of the Convention. These independent experts question States parties on women's participation in Governments and parliaments, percentages of female enrolment at all levels of education, protection of maternity, equal conditions of employment, family law, and conditions of female migrant workers.

Widespread violence against women, much of it inflicted by husbands, lovers or fathers, demands particular attention as a human rights issue. Since most of this violence takes place in private, it is difficult to assist the victims.

A draft declaration on violence against women under UN consideration condemns what it tentatively defines as "any act, omission, controlling behaviour or threat in any sphere that results in, or is likely to result in, physical, sexual or psychological injury to women". The declaration would call on States to prevent, investigate and punish such violence, whether committed by individuals or States and their agents, and to ensure that rehabilitation and aid in child care are provided to victims.

Three fourths of the world's refugees are women and children. Refugee women are often victims of rape and other forms of sexual abuse and thus are in special need of attention. The World Conference is also expected to address this issue.

In addition, each year thousands of women and girls worldwide are forced into prostitution. The 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, which 64 States have ratified, seeks to protect women against this form of abuse. How to combat harmful traditional practices, such as sexual mutilation of women and "dowry deaths", is also under consideration.

Removing barriers

More broadly, the international community is focusing increasingly on the general advancement of women, which the 1985 World Conference on Women called "without a doubt a precondition for the establishment of a humane and progressive society".

This involves, among other things, legal changes to remove barriers to women's participation in politics and the labour force, expanded educational opportunities, an increase in the value attached to work done by women, creation of new and wider employment opportunities, a reduction in teenage marriage and pregnancy, and stepped-up efforts to improve women's health and nutritional status.

Especially urgent in this regard is access to family planning information and services, which may lead to lower rates of mortality for both mothers and their children and allows women to participate more fully in activities outside the home.

Perhaps most important is the need to strengthen the perception that all human rights are linked to the protection of women's rights. Observes Kay Fraleigh, representative of the International Alliance of Women at the UN: "Human rights issues are so interwoven that no advance can be made in one area without reference to another."

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